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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,473	03/05/2004	Michael Jason Ullom	9550	2472

7590  
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New York, NY 10011

08/09/2007

EXAMINER
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ZECHER, MICHAEL R

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3691

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/708,473	<b>Applicant(s)</b> ROBISON	
	<b>Examiner</b> Michael R. Zecher	<b>Art Unit</b> 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Title*

The following title is suggested: "System and Method for Processing Asset Information from multiple sources and Distributing Asset Information in Digital Format for Insurance and Financial coverage." Removal of "in" is suggested in order for the title to be in correct grammatical form.

### *Claim Objections*

1. **Claims 1,3, & 12** are objected to because of the following informalities:  
grammatical error. Claim 1 includes an extra period after "digital distribution." Claim 3 recites "...the step of processing video images using [decsonstruktion] to derive...". "Deconstruction" is misspelled. Claim 12 recites "...[inteface] modules..." within the claim language. "Interface" is misspelled. Appropriate correction is required.
2. **Claims 2-7, 9-11, & 14-16** are objected to because of the following informalities:  
they appear to be dependent claims, but do not specify from what claim they depend. Appropriate correction is required.

A series of singular dependent claims is permissible in which a dependent claim refers to a preceding claim which, in turn, refers to another preceding claim.

A claim that depends from a dependent claim should not be separated by any claim which does not also depend from said dependent claim. It should be kept in mind that a dependent claim may refer to any preceding independent claim. In general, applicant's sequence will not be changed. See MPEP § 608.01(n).

3. **Claims 13 & 16** are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim, or amend the claim to place the claim in proper dependent form, or rewrite the claim in independent form. First, it is unclear whether claims 13 or 16 are dependent or independent claims. Second, claims 13 & 16 simply recite preambles and do not provide any limitations. A limitation must be provided in order for claims 13 or 16 to constitute valid claims.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 12, 14, & 15** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. **Claim 12** is rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim is narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim must be in one sentence form only. Note the format of the claims in the patents cited.

7. **Claim 14** recites the limitation "where the module supports the video deconstruction process" in the last two lines of the claim. There is insufficient

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antecedent basis for this limitation in the claim. It is unclear which module applicant is referring to. For examination purposes, Examiner has construed "the module supports the video deconstruction process" to be the interface module for receiving video or digital files.

8. **Claim 15** recites the limitation "where the module supports the image alignment process" in the last two lines of the claim. There is insufficient antecedent basis for this limitation in the claim. It is unclear which module applicant is referring to. For examination purposes, Examiner has construed "the module supports the image alignment process" to be the interface module for receiving video or digital files.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. **Claims 1-8 & 10-16** are rejected under 35 U.S.C. 102(e) as being anticipated by Cianciarulo et al. (U.S. 7,246,157).

**As per claim 1**, Cianciarulo et al. teaches a method for processing asset information from multiple sources in preparation for digital distribution (See abstract). The method comprising the step[s] of:

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receiving and processing video containing images and data for assets (See column 4, lines 62 through column 5, line 1, which discusses a video adapter for processing images);

receiving and processing video containing images of assets only (See column 4, lines 62 through column 5, line 1, which discusses a video adapter for processing images);

receiving and processing digital images (See column 4, lines 42-49, which discuss digital video disks can be used in the exemplary operating environment);

receiving and processing audio files with information on assets (See column 14, lines 16-26, which discuss transmission of data via voice-over IP);

receiving and processing scanned forms with asset images and data (See column 4, lines 57-62, which discuss entering information via a scanner) ;

receiving and processing asset information for agency management systems (See column 10, lines 27-44, which discuss transmitting information as a client policy management function);

receiving and processing asset information for asset tracking systems (See column 10, line 61, through column 11, line 15, which discusses tracking a submission);

receiving and processing asset information from data and/or messaging interfaces (See column 4, line 57-67, which discuss processing information from a number of data interfaces, including universal serial bus or other types of display devices); [and]

receiving and processing asset information from user input into screens (See column 5, lines 1-2, which discuss a monitor that can display a graphical user interface for the user).

**As per claim 2**, Cianciarulo et al. teaches the step of aligning asset information that was received and process[ed] from a different source (See figure 1, #20 & #21, which illustrates a processing unit capable of receiving information from different sources).

**As per claim 3**, Cianciarulo et al. teaches the step of processing video images using [deconstruction] to derive the asset images and associated data from the video file using automated and manual processes (See figure 1, #34 & #48, which illustrate an optical drive interface and video adapter capable of deriving images).

**As per claim 4**, Cianciarulo et al. teaches wherein the step of generating the information required for insurance application processing from the receipt of asset information (See column 12, lines 20-28, which discuss deriving insurance coverage according to specific business rules).

**As per claim 5**, Cianciarulo et al. teaches wherein the step of receiving information from existing asset management systems and supplementing with data and images for application processing (See figure 3, which illustrates a information handling system capable of managing and supplementing data).

**As per claim 6**, Cianciarulo et al. teaches wherein the step of receiving information from agency management system and supplement[ing] with images and

data for application processing (See figure 3, which illustrates a information handling system capable of managing and supplementing data).

**As per claim 7**, Cianciarulo et al. teaches wherein the asset information is gathered from multiple sources and processed into standard data descriptive sets (See column 6, lines 43-45, which discuss software for interpreting data and executing uniform computer executable instructions).

**As per claim 8**, Cianciarulo et al. teaches a method for distributing asset information containing digital images and associated data for insurance and financial analysis (See the abstract which discusses insuring, bonding, and underwriting a transmission of data sets).

**As per claim 10**, Cianciarulo et al. teaches wherein the distribution destination of the asset set is selected (See column 15, lines 55-64, which discuss designating a destination for the respective information).

**As per claim 11**, Cianciarulo et al. teaches wherein the asset information is formulated based on the format and interface defined by the receiver (See column 6, lines 43-45, which discuss software for interpreting data and executing uniform computer executable instructions).

**As per claim 12**, Cianciarulo et al. teaches a system for electronically processing asset information received from multiple sources and distributing the information in digital format to insurance and financial institutions, [comprising]:



interface modules for receiving video files with asset information (See figure 1, #34 & #48, which illustrate an optical drive interface and video adapter capable of deriving images);

interface modules for receiving digital images file with asset information (See figure 1, #34 & #48, which illustrate an optical drive interface and video adapter capable of deriving images);

interface modules for receiving audio files with asset information (See figure 1, #53, and column 14, lines 16-26, which illustrate and discuss transmission of data via voice-over IP over a network interface);

inte[r]face module for receiving scanned files with asset information (See figure 1, #46, and column 4, lines 57-62, which illustrate and discuss entering information via a scanner which is connected through the serial port interface);

inte[r]face module for receiving data from user interface screens (See figure 1, #40, and column 5, lines 1-2, which discuss a monitor that can display a graphical user interface for the user);

interface module for receiving data from messaging interfaces (See figure 1, #46 and column 4, line 57-67, which illustrate and discuss processing information from a number of data interfaces, including universal serial bus or other types of display devices, connected through the serial port interface);

interface module for receiving data from wireless transmissions (See figure 1, #52, and column 5, lines 2-32, which illustrate and discuss communicating over the internet utilizing a wireless receiver);

interface modu[l]e for receiving asset data from agency management systems  
(See figure 1 and column 10, lines 27-44, which illustrate and discuss transmitting  
information as a client policy management function); [and]

interface module for receiving asset data from asset tracking systems (See figure  
1 and column 10, line 61, through column 11, line 15, which illustrate and discuss  
tracking a submission).

**As per claim 13**, Cianciarulo et al. teaches the system for asset information  
processing using information received from multiple sources (See figure 1, #20 & #21,  
which illustrates a processing unit capable of receiving information from different  
sources).

**As per claim 14**, Cianciarulo et al. teaches where the module supports the video  
deconstruction process (See figure 1, #34 & #48, which illustrate an optical drive  
interface and video adapter capable of deriving images).

**As per claim 15**, Cianciarulo et al. teaches where the module supports the  
image alignment process (See figure 1, #34 & #48, which illustrate an optical drive  
interface and video adapter capable of deriving images).

**As per claim 16**, Cianciarulo et al. teaches the system of asset distribution (See  
abstract).

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set  
forth in section 102 of this title, if the differences between the subject matter sought to be patented and  
the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Cianciarulo et al. (U.S. 7,246,157), in view of Official Notice.

**As per claim 9**, Cianciarulo et al. does not expressly disclose wherein the asset set contain[s] asset based set criteria including owner, location, [and] type of assets.

The Examiner takes Official Notice that it is old and well known in the art to include identifying information with data transmissions. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cianciarulo et al. to include criteria including owner, location and type of asset when transmitting asset information in order to properly identify the asset in correlation with the underwriting or insurance coverage.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Von Kaenal et al. (U.S. 7,107,285) discloses a method, system and program for an improved enterprise spatial system.

Mikurak (U.S. 7,124,101) discloses an asset tracking in a network-based supply chain environment.

Cianciarulo et al. (U.S. 6,922,720) discloses systems and methods for insuring data over the internet.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Zecher whose telephone number is 571-270-3032. The examiner can normally be reached on M-F 7:30-5:00 alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRZ

  
Stefanos Karmis